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NEWS

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OPENING STATEMENT

THE HONORABLE HERBERT H. BATEMAN **CHAIRMAN, SUBCOMMITTEE ON MILITARY READINESS**

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Good morning. Today, the subcommittee on Military Readiness will continue with part 2 of the hearing that began yesterday to receive testimony concerning the recent decision by the Department of Defense to certify to Congress that the bundling of depot level maintenance workloads at Kelly AFB, Texas and McClellan AFB, California is necessary because these workloads cannot be logically and economically performed as individual workloads. In addition, we are here to review the notification by the General Accounting Office that they can not report to Congress on the validity of the bundling certification because the Department of Defense has not provided GAO with the documentation necessary to make that determination.

For those of you who were not at yesterday's hearing on these issues and are not familiar with the specifics of these concerns, let me again briefly summarize. Last year, after extended debate and negotiation, a compromise was agreed to by the Conference Committee on the Defense Authorization Act for fiscal year 1998 that, in part, stated "A solicitation may be issued for a single contract for the performance of multiple depot-level maintenance and repair workloads...only if the Secretary of Defense determines in writing that the individual workloads cannot as logically and economically be performed without a combination of those individual workloads." On 19 December 1997, the Under Secretary of Defense for Acquisition and Technology, transmitted to Congress just such a certification for the workloads at Kelly AFB and McClellan AFB. The provision of law that required this certification also required that GAO submit to Congress, within 30 days, their views regarding any such certification. On January 20, 1998, GAO notified Congress that "DOD's reports and supporting documentation do not provide adequate support for its determinations that the individual

workloads at Sacramento and San Antonio depots cannot as logically and economically be performed without combination by sources that are potentially qualified to submit an offer and to be awarded a contract to perform these workloads.” The GAO report further observed that the Air Force had failed to provide “adequate or timely” access to documentation used by DOD in support of the determination to combine workloads.

I believe that the issue here goes beyond the traditional depot debate that we get into every year. I am disturbed with the allegation that the Department of the Air Force has refused to provide all of the relevant documents required by GAO, that under the law, they are granted access and, in fact, receive similar documents from the Air Force and the other military departments on a routine basis. The actions by DOD and the Air Force appear to fly in the face of the hard fought compromise agreed to by Congress and the Administration last year.

In the statement by President Clinton on the occasion of signing into law H.R. 1119, the National Defense Act for fiscal year 1998 which contained the provisions in question, the President stated: “The Act also changes the terms under which public-private competitions for work at closing maintenance depots can be conducted. Some of these changes should prove helpful, but other changes will likely make the Department’s job more difficult. Nevertheless, the Secretary of Defense has indicated that the Department has flexibility to proceed with the remaining public-private competitions in a way that is fair to both sides. The Secretary has pledged to implement the Act so as to encourage all bidders, public and private, and to do everything possible to ensure that the competitions occur on a level playing field.”

With that kind of a commitment from the administration, it makes me wonder why we are still embroiled in this controversy.

As I have stated many times, I believe that it is essential to the national security of the United States that the Department of Defense maintain a capability to perform depot-level maintenance and repair of military equipment so that our fighting forces are able to successfully and safely meet operational, training, mobilization, and emergency requirements. All of us here today would agree with that.

There are many very important issues that this subcommittee must deal with this year to address the readiness needs of our military forces. It is time to put this particular issue behind us.

As I mentioned at the beginning, this is part two of a two part hearing. The witnesses for part one, which testified yesterday, were from the General Accounting Office, and the witnesses for part two, today, are from the Department of Defense and the Department of the Air Force.

Our witnesses today are:

The Honorable J. S. Gensler, Under Secretary of Defense for Acquisition and Technology, and, Ms. Darleen A. Druyun, Principal Deputy Assistant Secretary of the Air Force for Acquisition and Management.